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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/034,383

12/27/2001

Christopher Pasqualino

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09/06/2006

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EXAMINER

YENKE, BRIAN P

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,383

Applicant(s)

PASQUALINO ET AL.

Examiner

BRIAN P. YENKE

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment (26 June 2006).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 26 June 2006 have been fully considered but they are not persuasive.

Applicant's Arguments

a) Applicant states that the IBM disclosure discloses DC balancing by ensuring an equal number of bits are one and zero. Applicant states that although Copeland DC balances by adding an additional bit, there is not motivation to combine IBM with Copeland.

b) Applicant states that claims 4, 17 and 25 recite "concatenating audio data onto said at least one component", and that the examiner has made an obvious rejection without identifying any teaching in IBM or Copeland which suggest such.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both references are geared towards balancing and error correction and the combination of the both references provide their previous intended purpose DC balancing and error correction, since the inclusion of an extra bit for balancing/correction is notoriously well known.

Examiner's Response

a) The examiner disagrees. In the field of error correction in the transmission and reception of data, there are numerous error correcting/redundancy checking methods available. The concept of adding an additional bit to a bit stream as evidenced by Copeland ensures the receiving the device detects transmission errors. The IBM paper discloses DC balancing by ensuring an equal number of bits are one and zero, this is also a form of error correction, in addition to a conventional "additional bits". Thus if IBM's disclosure included such bit, the bit would inform the receiver a two fold method of error correction, one by analyzing the equal ones and zeroes and two by confirming the received bit pattern.

b) As stated in the rejection, IBM describes an interface which includes circuitry for "encoding" video for transmission between the controller/pc system and its CRT display. Thus although, IBM did not explicitly recite "audio", the examiners position is that video/audio are conventionally transmitted/received together for display/listening. If the applicant desires a reference which shows that video is typically accompanied by its audio portion, a reference will be provided. The examiner presumed that one of ordinary skill in the art in the field of endeavor would easily recognize that a received video signal for a CRT display would be accompanied by its audio components.

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2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2a. Claims 1, 2, and 5 are rejected under 35 U.S.C. 103(a) as being obvious over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196.

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display. As described the interface includes circuitry for "encoding" video for transmission between the controller/pc system and its CRT display, wherein the interface includes:

- 1) A multiplexer for concatenating at least one data (e.g. that which represents horizontal sync, vertical sync, and/or the serial data channel signal/command data) the red, green, blue, and
- 2) A block code arrangement for balancing the entire multiplexed data stream, via the utilization only "balanced" codes, thereby eliminating low frequencies from the spectrum" while permitting 'AC coupling'.

Although, the concept of adding additional bits to an existing sequence/component in order to proper DC balance it was known to add additional bits to ensure proper DC balancing of the encoded signal for proper AC coupling the examiner nonetheless incorporates Copeland (see background/prior art discussion).

Therefore, it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the IBM disclosure which encodes video for transmission and

permits AC coupling to add additional bits as done conventionally (Copeland discussion on Prior Art) for the advantages as noted above.

2b. Claims 3 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196.

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect the limitations of claim 1. Claims 3 and 7-11 differ from the system described in the technical disclosure only in that said claims recite steps for correcting the video signal for erroneous pixels caused by transmission errors via various forms of pixel replacement (i.e. via replacement with a previously received correct value or a value obtained by the interpolation/averaging of surrounding correct pixel values);

Although it is conventional to have added overhead bits/data (e.g. such as CRC codes and/or hamming bits) to transmitted video data to detect and correct erroneous transmission errors; interpolation pixel values caused by wherein substitution and represent notoriously well known ways of generating replacement pixel values.

The examiner relies upon Copeland (col 4, line 1-20) which discloses the use of CRC/checksum bits, therefore it would have been obvious to one of ordinary skill in the art to have modified the interface described in the IBM technical disclosure with such conventional overhead data to allow erroneous pixels to be replace using well known pixel replacement techniques performance immunity.

2c. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196.

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations of claim 1.

Claims 4 and 6 differ from the system described in the technical disclosure only that said claims specify said concatenated data as being "audio" and "status" data/information.

The examiner maintains that would have been obvious to one of ordinary skill in the art to have used the "data channel" of the interface described in the IBM disclosure to carry any kind of auxiliary data that was conventionally associated with transmitted video data (i.e. be it sound/audio or status information).

2d. Claims 12, 13, 18, 21, 22, 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations of claim 1.

The claims differ from the system described in the technical disclosure only in that the claim indicates that the data component to which at least one obtained by "splitting" component out from input data. The IBM disclosure does not specify the source of the red, green, blue, and intensity video component described concatenated therein.

The examiner takes Official Notice that it was notoriously well known in the art for the video that's transferred between a controller/PC and its CRT display to have been originated from a composite signal source thereby requiring the splitting" the video components prior to transmission. The examiner maintains that it would have been obvious to one of ordinary skill in the art to have utilized the interface described the IBM disclosure to have "split" and conveyed data from such conventional source as was known in the art.

2e. Claims 15 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations claim 12.

Claims 15 and 16 differ from the system described in the technical disclosure only in that said claims recite the addition of CRC codes to the transmission

Although it is conventional to have added overhead bits/data (e.g. such as CRC codes and/or hamming bits) to transmitted video data to detect and correct erroneous transmission errors; interpolation pixel values caused by wherein substitution and represent notoriously well known ways of generating replacement pixel values.

The examiner relies upon Copeland (col 4, line 1-20) which discloses the use of CRC/checksum bits, therefore it would have been obvious to one of ordinary skill in the art to have modified the interface described in the IBM technical disclosure with such conventional overhead data to allow erroneous pixels to be replace using well known pixel replacement techniques performance immunity.

2f. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations claim 22.

Claim 24 differs from the system described in the technical disclosure only in that said claim recites the addition of CRC codes to the transmission;

Although it is conventional to have added overhead bits/data (e.g. such as CRC codes and/or hamming bits) to transmitted video data to detect and correct erroneous transmission errors; interpolation pixel values caused by wherein substitution and represent notoriously well known ways of generating replacement pixel values.

The examiner relies upon Copeland (col 4, line 1-20) which discloses the use of CRC/checksum bits, therefore it would have been obvious to one of ordinary skill in the art to have modified the interface described in the IBM technical disclosure with such conventional overhead data to allow erroneous pixels to be replace using well known pixel replacement techniques performance immunity.

2g. Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its display as was set forth above with respect to the limitations of claim 12.

Claims 17 and 19 differ from the system described the technical disclosure only in that said claims specify said concatenated data as being "audio" and "status" data/information.

The examiner maintains that it would have been obvious to one of ordinary skill in the art to have used the "data channel" the interface described the IBM disclosure to carry any kind of auxiliary data that was conventionally associated with transmitted video data (i.e. be it sound/audio or status information).

2h. Claims 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461.

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations of claim 22.

Claims 25 and 27 differ from the system described in the technical disclosure only in that said claims specify said concatenated data as being "audio" and "status" data/information.

The examiner maintains that it would have been used the "data channel" of the interface described in the IBM disclosure to carry any kind of auxiliary data that was conventionally associated with transmitted video data (i.e. be it sound/audio or status information).

2i. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over 1988 IBM Technical Disclosure #NN8812461 in view of Copeland et al., US 6,304,196 and Priem et al., US 5,734,369.

The IBM Technical disclosure describes an interface for interfacing a controller/pc system and its CRT display as was set forth above with respect to the limitations of claim 12.

Claim 14 differs from the system described in the technical disclosure only in that said claims specify said split data is eight the IBM disclosure color pixel data; the data appears to be 4 bit color pixel data.

The use of eight bits (or greater) of pixel data is well known in the art for the video data that is transferred from a controller/pc to a CRT display. Nonetheless, the examiner incorporates Priem (Fig 2, col 2, line 4-20) which discloses such conventional practice, therefore it would have been obvious to modify IBM/Copeland which discloses the use of DC balanced system which may utilize additional bits for error correction by having at least eight bits of color pixels thereby providing a larger pallet of colors (a "real" image capability).

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

(703)305-HELP.

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An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents.

Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS). PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.

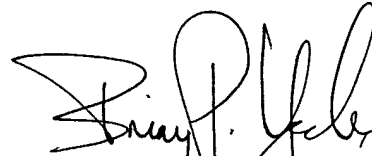
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B.P.Y

03 September 2006

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BRIAN RYENKE
PRIMARY EXAMINER